

Remarks:

*Regarding the rejection of claims 1-6, 9-15 and 17-23 under 35 USC 103(a) in view of US 6322801 to Lorenzi et al. (hereinafter simply "Lorenzi"):*

The applicant respectfully traverses the Examiner's rejection of the indicated claims, particularly in view of the amended claims presented in this paper.

With respect now to the amounts of surfactants disclosed in Lorenzi, these amounts are described in the following passage from col. 10 of Lorenzi:

substrate. In another embodiment, the cleansing component is deposited onto either or both surfaces of the substrate. The articles of the present invention comprise from about 10% to  
40 about 1,000%, preferably from about 50% to about 600%, and more preferably from about 100% to about 250%, based on the weight of the water insoluble substrate, of the surfactant. Also, the articles of the present invention pref-

As is clearly evident therefrom, the Lorenzi's compositions require at least "about 10%wt." of surfactant to even substantially higher amounts, viz., to 1000%wt. !

However, such is not a surprising requirement as Lorenzi further requires that his surfactants be of the "high lathering" type, as is disclosed later in column 10 of Lorenzi, wherein is stated:

The surfactants of the cleansing component are preferably lathering surfactants. As used herein, "lathering surfactant"  
50 means a surfactant, which when combined with water and mechanically agitated generates a foam or lather. Such surfactants are preferred since increased lather is important to consumers as an indication of cleansing effectiveness. In certain embodiments, the surfactants or combinations of

Such a utility is quite consistent with Lorenzi's articles which are all specifically formulated as personal care wipes, wherein cleaning of the human epidermis, including the removal of sebum from such surfaces is required. However to a skilled artisan

concerned with cleaning a hard surface, such a teaching is completely opposite to that which would be considered useful as, in cleaning of hard surfaces, effective cleaning with a minimum of deposits and residues as would be expected from using “high lathering” types of surfactants in amounts of at least 10%wt., but as Lorenzi notes, preferably in even great amounts, would be counterintuitive for cleaning of hard surfaces particularly where it were further desired that a substantially “streak free” cleaning benefit were preferred. Thus, it is contended by the applicant that the Examiner’s reliance upon Lorenzi in rendering the currently amended claims as being obvious is improper. The applicant directs the attention of the Examiner to the newly presented claims which require that the article of claim 1 comprise even lesser amounts of surfactants, (which are also not limited to the “high lather” type surfactants taught by Lorenzi) as well as to applicant’s further claim 23 that that the articles of claim 1 produce “essentially streak free” cleaning. The subject matter of claim 1 and/or 23 would not be considered as being obvious by a skilled artisan over the Lorenzi reference. Lorenzi’s articles are high foaming, personal care compositions which of necessity must have a high degree of foaming/lathering in order to provide their desired function. Applicant’s claimed articles are used in a different technical field, and surprisingly find good cleaning with a minimal amount of one or more surfactants, which preferably would not have any significant foaming or lathering effect, as such may lead to streaking of hard surfaces treated/cleaned using applicant’s claimed articles. Clearly then, a skilled artisan would not modify Lorenzi in a manner which would defeat its technical purpose.

The Examiner is respectfully reminded that if a proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims as being *prima facie* obvious. (See MPEP, at §2143.01.) Likewise, if a proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed.Cir., 1984). Further, in determining the differences between the prior art and the claims, the question under 35

USC §103 is not whether the differences themselves would have been obvious, but rather, whether the claimed invention as a whole would have been obvious. A prior art reference must be considered in its entirety, as a whole, including portions that would lead away from the claimed invention. (See MPEP, at §2143.02.)

Thus, the applicant's claimed invention cannot be considered as being obvious thereover, and at least the present claims are in condition for allowance.

Should the Examiner in charge of this application believe that telephonic communication with the undersigned would meaningfully advance the prosecution of this application, they are invited to call the undersigned at their earliest convenience.

#### **PETITION FOR A ONE-MONTH EXTENSION OF TIME**

Applicants respectfully petition for a one-month extension of time in order to permit for the timely entry of this response. The Commissioner is hereby authorized to charge the fee to Deposit Account No. 14-1263 with respect to this petition.

#### **CONDITIONAL AUTHORIZATION FOR FEES**

Should any further fee be required by the Commissioner in order to permit the timely entry of this paper, the Commissioner is authorized to charge any such fee to Deposit Account No. 14-1263.



Respectfully Submitted;



Andrew N. Parfomak, Esq.

Reg.No. 32,431

Norris, McLaughlin & Marcus

875 Third Ave, Suite 1800

New York, NY 10022

Tel: 212 808-0700



Date: